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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 **UNITED STATES OF AMERICA,**
10 Plaintiff,
11 v.
12 **FLOYD MARTIN,**
13 Defendant.

Case No. 2:19-CR-185-RSL

**ORDER GRANTING
MOTION TO CONTINUE
TRIAL DATE**

15 This matter comes before the Court on defendant Floyd Martin’s “Unopposed Motion to
16 Continue Trial and Pretrial Motions Dates.” Dkt. #20. Having considered the facts set forth in
17 the motion, and defendant’s knowing and voluntary waiver, the Court finds as follows:

18 1. The Court adopts the facts set forth in the unopposed motion; specifically, that
19 defense counsel needs additional time to review the voluminous discovery provided by the
20 government. The Court accordingly finds that a failure to grant a continuance would deny
21 counsel, and any potential future counsel, the reasonable time necessary for effective
22 preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C.
23 § 3161(h)(7)(B)(iv).

25 2. The Court finds that a failure to grant a continuance would likely result in a
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).
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1 3. The Court finds that the additional time requested between December 9, 2019, and
2 the proposed trial date of April 6, 2020 is a reasonable period of delay, as defense counsel needs
3 additional time to review discovery. The Court finds that this additional time is necessary to
4 provide defense counsel reasonable time to prepare for trial, considering all the facts set forth
5 above.

6 4. The Court further finds that this continuance would serve the ends of justice, and
7 that these factors outweigh the best interests of the public and defendant in a speedier trial,
8 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

9 5. Defendant has signed a waiver indicating that he has been advised of his right to a
10 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
11 that right and consented to the continuation of his trial to a date up to and including April 20,
12 2020, Dkt. #21, which will permit trial to start on April 6, 2020, per the parties' request.

13 IT IS HEREBY ORDERED that the trial date be continued from December 9, 2019 to
14 April 6, 2020.

15 IT IS FURTHER ORDERED that the pretrial motions deadline be continued to March 2,
16 2020.

17 IT IS FURTHER ORDERED that the period of time from the current trial date of
18 December 9, 2019, up to and including April 20, 2020, shall be excludable time pursuant to 18
19 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion
20 is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and
21 (h)(7)(B).

22 DATED this 4th day of November, 2019.

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Robert S. Lasnik
United States District Judge